

**LEVIN-EPSTEIN & ASSOCIATES, P.C.**

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April 10, 2024

**VIA ECF**

The Hon. Andrew L. Carter, Jr., U.S.D.J.  
U.S. District Court, Southern District of New York  
40 Foley Square  
New York, NY 10007

MEMO ENDORSED

Re: *Tepale v. J.D.B. et al*  
**Case No.: 23-cv-07755**

Dear Honorable Judge Carter:

This law firm represents Plaintiff Miguel Tepale (the “Plaintiff”) in the above-referenced matter. This letter is submitted jointly with counsel for Defendants J.D.B Market Corp. and John Burdo (together, the “Defendants”).

Pursuant to Your Honor’s Individual Motion Practice Rules, this letter respectfully serves as a request to extend the briefing schedule on Defendants’ pending motion to dismiss [Dckt. Nos. 24-26] (the “Motion to Dismiss”), as follows:

1. Plaintiff’s Opposition due on or before May 11, 2024;
2. Defendants’ Reply due on or before May 18, 2024.

This is the first request of its kind. If granted, this request would not affect any other scheduled deadlines. The basis of this request is that the parties have recently initiated settlement discussions, and wish to explore the possibility of a settlement, before investing further time and resources in motion practice.

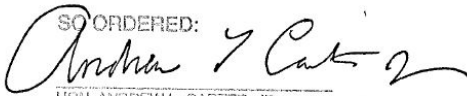
In light of the foregoing, it is respectfully requested that the Court: (i) extend Plaintiff’s deadline to file opposition to the Motion to Dismiss from April 11, 2024 to, through and including May 11, 2024; and (ii) extend Defendants’ deadline to file a reply in further support of the Motion to Dismiss from April 18, 2024 to, through and including May 18, 2024

We thank the Court for its attention to this matter, and are available at the Court’s convenience to answer any questions related to the foregoing.

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

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*Attorneys for Plaintiff*

SO ORDERED:  
  
HOW. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

Dated: April 11, 2024  
New York, NY